

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

OP.No. 16811 of 1999(B)

PETITIONER:

K.V. MANIKANDARAJA, SON OF K.K. VADIVELU CHETTIYAR,
3/459, POLLACHI ROAD, P.O. KOZHINJAMPARA, PALAKKAD DIST.

BY ADV. SRI.T.SETHUMADHAVAN

RESPONDENTS:

1. THE DISTRICT COLLECTOR, PALAKKAD.
2. THE TAHSILDAR, CHITTOOR.
3. THE CIRCLE INSPECTOR OF POLICE, CHITTOOR
4. THE SUB INSPECTOR OF POLICE, KOZHINJAMPARA.

BY GOVERNMENT PLEADER SRI. K.P. PRADEEP

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 16/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ORDER ON CMP 27407 OF 1999 IN OP 16811 OF 1999

DISMISSED

16.11.2007

SD/-CN.RAMACHANDRAN NAIR, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE ORDER OF THE SUB COURT, PALAKKAD DATED 6.9.1996

EXT.P2 TRUE COPY OF THE ORDER NO. B5.3165/92 DATED 9.12.1997 PASSED BY THE FIRST RESPONDENT.

EXT.P3 STRUE COPY OF THE SHOW CAUSE NOTICE DATED 9.12.1997 APPENDED WITH EXT.P2

EXT.P4 TRUE COPY OF THE OBJECTION DATED 24.12.97 SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT.

EXT.P5 TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN OP 645 OF 1998 DATED 12.1.1998

EXT.P6 TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN OP 2532 OF 1998 DATED 6.2.1998

EXT.P7 TRUE COPY OF THE ORDER PASSED BY THE FIRST RESPONDENT DATED 28.4.1999 ALONG WITH THE WARRANT OF ARREST (NO. B5.3165/92(1))

EXT.P8 TRUE COPY OF THE INTERIM ORDER IN CMP 20926 OF 1999 IN OP 13026 OF 1999A DATED 31.5.1999 PASSED BY THIS HON'BLE COURT.

RESPONDENTS' EXHIBITS: NIL.

TRUE COPY

P.S. TO JUDGE.

C.N. RAMACHANDRAN NAIR, J.

O.P. NO. 16811 OF 1999

Dated this the 16th day of November, 2007

JUDGMENT

Counsel for the petitioner submitted that payment for the very same set of arrears, recovery of which is challenged in this O.P., is remitted, subject to some conditions and payments are being made pursuant to the judgment in O.P.No.13026 of 1999. In the circumstances, no orders are required in this O.P. and this O.P. is closed. However, for non-compliance of the said judgment and failure to make payment, respondents are free to proceed with recovery.

(C.N. RAMACHANDRAN NAIR)
Judge

